



# ***CITY OF FAIRFAX***

## **INFORMATION GUIDE FOR FENCES IN RESIDENTIAL DISTRICTS R-1, R-2 AND R-3**

### **ZONING DIVISION**

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The City of Fairfax has amended City Code section 110-37(a) of the zoning regulations regarding fencing constructed on property located in the Residential Zoning Districts R-1, R-2 and R-3. This booklet summarizes these regulations for installing a fence on your property.

- **Building Permit Required for fences that exceed six feet in height.**

Building permits are submitted through the Office of Building Code Administration. Please call 703-385-7830 for information on how to submit for this permit.

- **Location of Fence** (visual examples on pages three to five) :

- A fence must be placed entirely on your property—it is important to know your property line location.

- Corner lots: A fence on a corner lot can create a visual impediment to drivers, so a fence is not allowed entirely on the property line of a front yard of a corner lot. Please refer to figure 2 on page 3.

- **Maximum Fence Height:** The maximum height of a fence is determined by its placement in a front, side or rear yard:

- A fence placed in the front yard may be no taller than four feet in height.

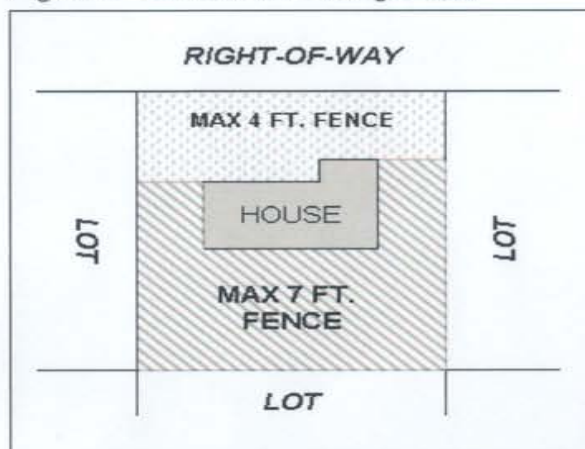
- A fence placed in the side or rear yard may be no taller than seven feet in height.

- A fence placed in the side yard of a corner lot may be no taller than four feet in height.

- **How to Measure Fence Height** – A fence is measured from the top of the fence to the ground directly beneath the fence. The measurement is taken at the highest point and not as an average among various points. Exceptions:
  - Fence posts that are no more than four feet apart and no higher than 12 inches above the maximum fence height are not included in the fence height measurement.
  - Decorative and landscape elements such as arbors, pergolas, etc. are not included in the fence height measurement.
- **Appearance** – The finished side of a fence must face out when the fence parallels a right-of-way. This means a fence that faces a street is required to have the finished side of the fence facing towards the street. For other fences there is no such requirement.
- **Dangerous Materials** – No barbed wire or other hazardous materials may be used as fencing of your property.
- **10% Buffer** – The zoning administrator may determine a fence is lawful - if it exceeds the maximum height by 10% - to account for lot complexities provided the use and enjoyment of other properties in the immediate vicinity is not adversely affected. This approval must be received in writing from the zoning administrator prior to construction of the fence.
- **Existing Fences** – Existing fences are now considered nonconforming and may remain and be repaired. If an existing fence is removed, any new fencing must meet the new zoning regulations in regards to height, appearance and permitting requirements.

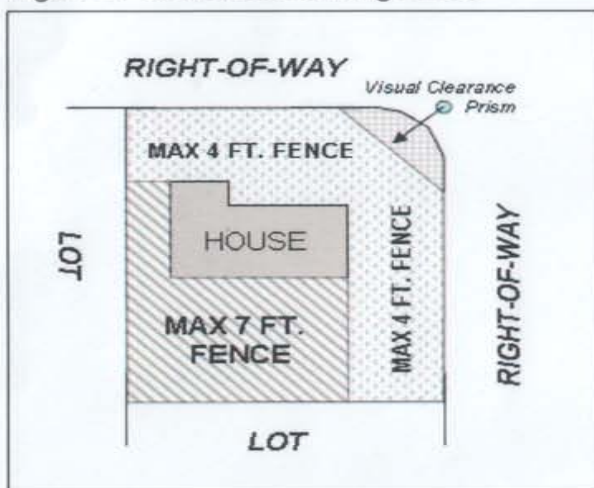
## Examples of fence height based on lot type & location of fence

Figure 1. Interior Lot Fencing Areas



RIGHT-OF-WAY means street

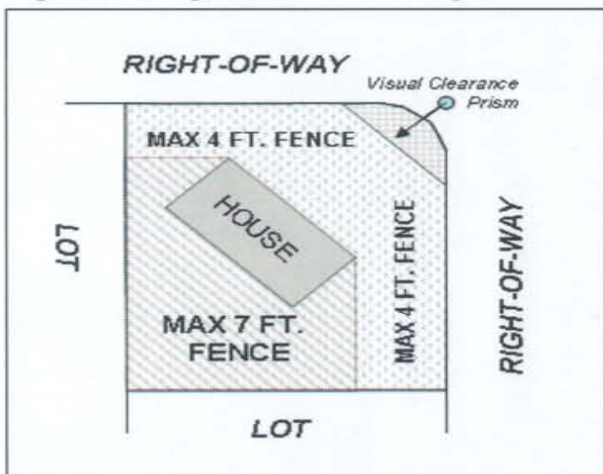
Figure 2. Corner Lot Fencing Areas



RIGHT-OF-WAY means street

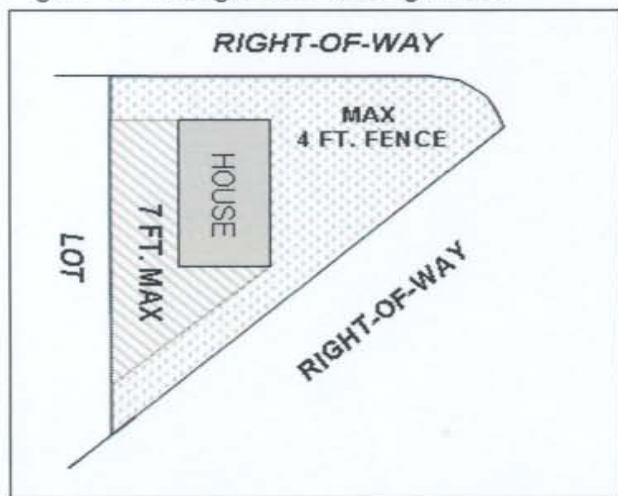
## Examples of fence height based on lot type & location of fence

Figure 3. Diagonal House Fencing Areas



RIGHT-OF-WAY means street

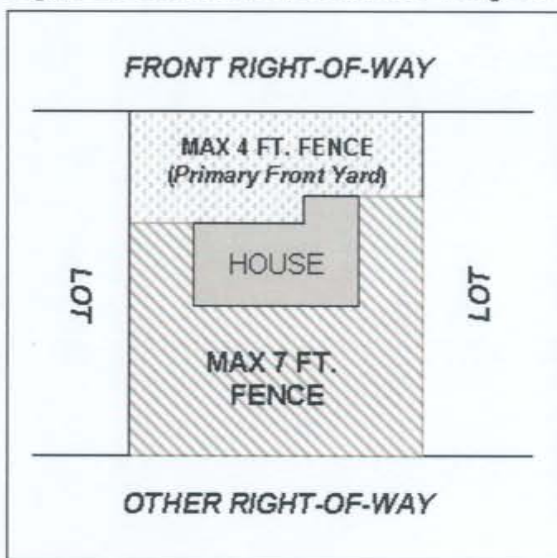
Figure 4. Triangle Lot Fencing Areas



RIGHT-OF-WAY means street

## Example of fence height based on lot type & location of fence

Figure 5. Lot with Rear of House Facing Street



RIGHT-OF-WAY means street

### **THESE REGULATIONS DO NOT APPLY TO:**

- Retaining walls (unless a fence is part of the retaining wall), terraces, etc.
- Required swimming / wading pool fences.
- Daycare fences.
- Fences immediately surrounding tennis courts.
- Construction fences.
- Commercial properties.

### **SPECIAL EXCEPTIONS**

The Board of Zoning Appeals may modify height requirements for fences. The board will use the criteria for granting a special exception as required by section 110-369 of the City Code. In addition, the following criteria may be used for their determination for relief of the height requirements:

- Unusual site topography;
- Unusual lot configuration (i.e. placement of a house on the lot, heavy traffic volume, existence of a vacant lot);
- The presence of neighboring properties that contain uses other than single-family residences; and
- Fence design (i.e. opacity, materials) and variations of fence materials.

The Board may also require, as appropriate, alternative locations or designs to mitigate any impact by a larger fence on the surrounding properties.

Board hearings are held at 7 P.M. on the first Tuesday of each month (except August). There is an application and fee associated with this special exception request and the process can take approximately three months to complete.